

1 **LAW OFFICES OF DALE K. GALIPO**

2 Dale K. Galipo, Esq. (Bar No. 144074)

3 dalekgalipo@yahoo.com

4 Hang D. Le, Esq. (Bar No. 293450)

5 hlee@galipolaw.com

6 21800 Burbank Boulevard, Suite 310

7 Woodland Hills, California, 91367

8 Telephone: (818) 347-3333

9 Facsimile: (818) 347-4118

10 Attorneys for Plaintiffs

11 JONATHAN WAYNE BOTTEN, SR.,

12 TANJA DUDEK-BOTTEN, ANNABELLE BOTTEN,

13 AND J.B.

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JONATHAN WAYNE BOTTEN, SR.;
TANJA DUDEK-BOTTEN;
ANNABELLE BOTTEN; and J.B., a
minor, by and through his guardian
JONATHAN WAYNE BOTTEN, SR.,

Plaintiffs,

vs.

STATE OF CALIFORNIA; COUNTY
OF SAN BERNARDINO; ISAIAH
KEE; MICHAEL BLACKWOOD;
BERNARDO RUBALCAVA;
ROBERT VACCARI; JAKE ADAMS;
and DOES 1-10, inclusive,

Defendants.

Case No. 5:23-cv-00257-KK-SHK

Hon. Kenly Kiya Kato

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION TO
CONSOLIDATE**

Hearing Date: April 4, 2024

Time: 9:30 a.m.

Crtrm: 3

Complaint filed: February 17, 2023

1 **[PROPOSED] ORDER**

2 Having considered the papers filed in support of and in opposition to
3 Plaintiffs' Motion to Consolidate and GOOD CAUSE appearing therefrom, IT IS
4 HEREBY ORDERED that the case of *Jonathan Wayne Botten, Sr., et al. v. State of*
5 *California, et al.*, case no. 5:23-cv-00257-KK-SHK and the case of *L.C., et al. v.*
6 *State of California, et al.*, case no. 5:22-cv-00949-KK-SHK are hereby consolidated
7 for all purposes, including trial. The cases are being consolidated pursuant to Rule
8 42(a) of the Federal Rules of Civil Procedure in the interest of judicial economy and
9 efficiency as both cases arise from the same officer-involved shooting that occurred
10 on February 17, 2021 involve the same defendants and substantially similar issues
11 of fact and law.

12

13 **IT IS SO ORDERED.**

14 DATED: _____

15 HON. KENLY KIYA KATO
16 UNITED STATES DISTRICT JUDGE
17
18
19
20
21
22
23
24
25
26
27
28